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January 19, 2021

**Re: The Application Drey Moor Fertilizers Pte Ltd.**  
**Case No. 1:20-mc-00192(PGG)**

Dear Justice Gardephe:

We write regarding the status of the above referenced Section 1782 discovery matter filed *ex parte* on September 23, 2020 by Drey Moor Fertilizers Overseas Pte Ltd. (“Applicant”), which is simply a supplemental discovery request to the previous application filed on April 14, 2020. That application was granted by order of this Court on May 18, 2020 (the “Previous Order”).

Applicant, a Singapore corporation, was awarded EUR 6,211,091.06 plus USD 339,761.42 against AVAgro LLC and its subsidiary UAB AVAgro, a Lithuanian corporation which award was confirmed by the United States District Court in Kansas as set forth in the order of May 22, 2020. Applicant is now seeking to enforce that award in foreign proceedings in Lithuania and the Ukraine. The discovery sought will be used in those proceedings and Applicant’s other collection efforts abroad.

This Court granted permission to Applicant to obtain discovery from banks located in this District that and have acted either as direct transfer banks or as the intermediary or correspondent banks for payments which are or will be at issue in these foreign proceedings. No objections were filed to the Previous Order, and the subpoenaed parties all complied with the Previous Order.

This supplemental application seeks to extend the scope of the documents sought, on the same basis as the previous application. This expansion is urgent because the discovery previously obtained pursuant to the Previous Order showed at least one large payment of \$100,000 made by the sole owner and shareholder of AVAgro to an entity controlled by a senior executive of Applicant at the time Applicant was contracting substantial business with AVAgro which was never disclosed to Applicant and may have influenced the recipient to provide favorable terms to AVAgro as there appears to have been no proper basis for such a payment. The discovery sought here will, among other things show whether other improper payments have been made to such executive. Moreover, the case in Lithuania is continuing and the discovery requested will be of no value unless obtained in time for use in such case.

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We are very reluctant to further burden the Court but respectfully request that the discovery application be granted. There has been no opposition from any of the banks at issue. Expedient granting of the application would foster the twin goals of § 1782, namely “providing efficient means of assistance to participants in international litigation in our federal courts and encouraging foreign countries by example to provide similar means of assistance to our courts.” In re Accent Delight International Ltd., 869 F.3d 121, 134 (2d Cir. 2017).

Respectfully,

A handwritten signature in blue ink, appearing to read 'P. Salisbury', with a long, sweeping horizontal line extending to the right.

Patrick Salisbury

PPS:bjs